

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074

<https://oversight.house.gov>

May 13, 2022

The Honorable Merrick B. Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530

Dear Attorney General Garland:

We continue to conduct oversight of efforts by the U.S. Department of Justice (Justice Department) to enforce federal laws protecting the integrity of the Supreme Court. In the wake of the unprecedented leak of a draft opinion on a matter currently pending before the Supreme Court,¹ a reactionary wave of violence by radical ideologues has descended upon the country, as crisis pregnancy centers,² pro-life organizations³ and churches⁴ have been vandalized and subject to arson attacks and theft of sacred objects. Other protestors are picketing at Supreme Court Justices' family residences⁵ with the goal of influencing or intimidating the Justices. This likely violates federal law,⁶ notwithstanding the Biden Administration⁷ and other prominent Democrats⁸ stating their support for these unlawful actions. We request further information regarding steps the Justice Department is taking to enforce federal law and ensure the protection of Supreme Court Justices.

¹ Tierney Sneed et al., *Supreme Court draft opinion that would overturn Roe v. Wade published by Politico*, CNN NEWS (May 3, 2022); *see also* Mark Sherman & Zeke Miller, *Report: Supreme Court draft suggests Roe could be overturned*, AP NEWS (May 3, 2022).

² Kravetz, Andy, *Arson blamed in fire that caused \$250,000 in damage to Peoria Women's Care Center*, JOURNAL STAR (May 3, 2021).

³ Vander Ploeg, Luke & Addison Lathers, *Anti-Abortion Group in Wisconsin Is Hit by Arson, Authorities Say*, N.Y. TIMES (May 8, 2022).

⁴ *See e.g.* Nieto, Greg, *Abortion-rights vandalism stirs church parishioners*, FOX31 COLORADO (May 9, 2022); Betz, Bradford, *Boulder Catholic church vandalized with abortion rights graffiti*, FOX NEWS (May 5, 2022); Mullen, Shannon, *Update on Unrest: Tabernacle Stolen, Catholic Church Defaced, Pregnancy Clinic Vandalized*, NATIONAL CATHOLIC REGISTER (May 10, 2022).

⁵ Sanchez-Cruz, Rafael, *Pro-choice protests outside Maryland homes of Justices Roberts and Kavanaugh*, WUSA9 (May 8, 2022); Alder, Madison, *Justice Alito's Home Targeted by Abortion Rights Protesters*, BLOOMBERG (May 9, 2022).

⁶ *See* 18 U.S.C. § 1507.

⁷ Mordock, Jeff, *Psaki says Biden supports peaceful abortion protests outside justices' homes*, WASH. TIMES (May 10, 2022).

⁸ Prieb, Natalie, *Schumer says he sees no issue with peaceful protests at houses of Supreme Court justices*, THE HILL (May 10, 2022).

Our Constitution guarantees citizens freedom of speech, the right to assemble, and to petition the government,⁹ however these rights are not without limits.¹⁰ We have already seen Americans exercising this right to make their voices heard in front of the Supreme Court building and other public squares.¹¹ Governing bodies have passed, and the Supreme Court has upheld, content-neutral time, place, and manner restrictions on First Amendment activities.¹² Under federal law, picketing or parading “in or near a building or residence occupied or used by [a] judge” with intent of “interfering with, obstructing, or impeding the administration of justice, or with the intent of influencing any judge... in the discharge of his duty...” is a misdemeanor offense punishable by fines or jail time.¹³ It is unclear whether the Justice Department has been investigating or prosecuting any cases related to the current protests at the Justices’ homes. The recent leaked draft opinion has the potential to undermine the ability of Justices to deliberate on cases of national importance. Our system of law and order must stand firm against any illegal attempts to intimidate Justices by mobbing their neighborhoods.

To assist the Republicans on the Committee in understanding the Justice Department’s efforts to enforce federal laws protecting the integrity of the Supreme Court, we request that you produce the following documents and information no later than May 27, 2022, from the time period May 2, 2022 to the present:

1. All documents and communications regarding any open Justice Department investigation or other law enforcement partners into violations of federal law related to picketing at the Supreme Court Justices’ personal family residences;
2. All documents and communications regarding any accepted or declined criminal prosecution related to picketing at Supreme Court Justices’ personal family residences;
3. The number of open investigations into any threats made against members of the Supreme Court, especially threats stemming from the release of the draft opinion referenced above;
4. All documents and communications regarding any Justice Department response to threats made against members of the Supreme Court.

Thank you for your consideration of this important issue. To make arrangements to deliver documents or ask any related follow-up questions, please contact the Committee on Oversight and Reform Republican staff at (202) 225-5074. The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad

⁹ U.S. Const. amend. I.

¹⁰ See e.g. *Ward v. Rock against Racism*, 491 U.S. 781 (1989); *Hill v. Colorado*, 530 U.S. 703 (2000).

¹¹ Qiu, Linda & Sarahbeth Maney, *Demonstrators Gathered at Supreme Court Lament, and Celebrate, Leaked Draft*, N.Y. TIMES (May 3, 2022).

¹² *Supra*, n.10.

¹³ 18 U.S.C. § 1507.

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authority to investigate “any matter” at “any time” under House Rule X. Thank you in advance for your cooperation with this inquiry.

Sincerely,



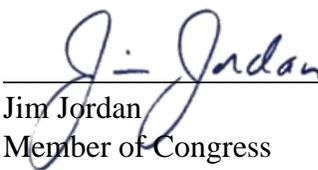
James Comer
Ranking Member
Committee on Oversight and Reform



Glenn S. Grothman
Ranking Member
Subcommittee on National Security



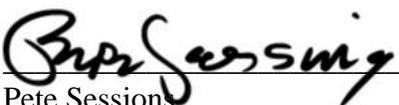
Ralph Norman
Ranking Member
Subcommittee on Environment



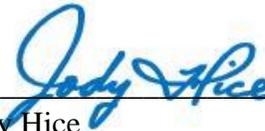
Jim Jordan
Member of Congress



Bob Gibbs
Member of Congress



Pete Sessions
Member of Congress



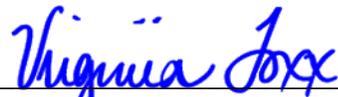
Jody Hice
Ranking Member
Subcommittee on Government
Operations



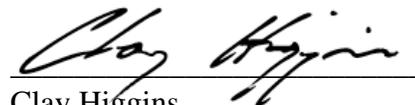
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Ranking Member
Subcommittee on Economic and
Consumer Policy



Nancy Mace
Ranking Member
Subcommittee on Civil Rights and
Civil Liberties



Virginia A. Foxx
Member of Congress



Clay Higgins
Member of Congress

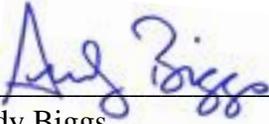


Fred Keller
Member of Congress

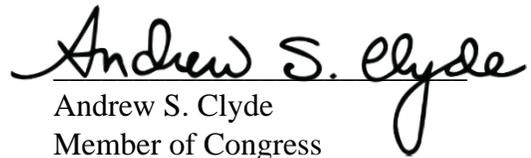
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Andy Biggs
Member of Congress



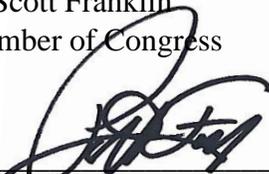
Andrew S. Clyde
Member of Congress



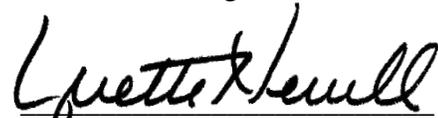
C. Scott Franklin
Member of Congress



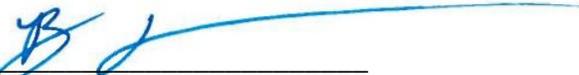
Jake LaTurner
Member of Congress



Pat Fallon
Member of Congress



Yvette Herrell
Member of Congress



Byron Donalds
Member of Congress

cc: The Honorable Carolyn Maloney, Chairwoman
Committee on Oversight and Reform

The Honorable Gerald E. Connolly, Chairman
Subcommittee on Government Operations

The Honorable Stephen F. Lynch, Chairman
Subcommittee on National Security

The Honorable Raja Krishnamoorthi, Chairman
Subcommittee on Economic and Consumer Policy

The Honorable Ro Khanna, Chairman
Subcommittee on Environment

The Honorable Jamie Raskin, Chairman
Subcommittee on Civil Rights and Civil Liberties